IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 18218 of 2007(R)

PETITIONER:

ABRAHAM JOSEPH, AGED 46 YEARS,
S/O.JOSEPH, RESIDING AT PANTHAMMAKAL HOUSE,
NARIYAMPARA P.O., IDUKKI DISTRICT.

BY ADV. SRI.JOICE GEORGE

RESPONDENTS:
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1. THE STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME,SECRETARIAT,THIRUVANANTHAPURAM.

2. THE SUPERINTENDENT OF POLICE, IDUKKI,
OFFICE OF THE SUPERINTENDENT OF POLICE,
PAINAVU P.O., IDUKKI DISTRICT.

3. THE DEPUTY SUPERINTENDENT OF POLICE,
KATTAPPANA, OFFICE OF THE DEPUTY SUPERINTENDENT OF
POLICE, KATTAPPANA P.O., IDUKKI DISTRICT.

4. THE CIRCLE INSPECTOR OF POLICE,
KATTAPPANA, OFFICE OF THE CIRCLE INSPECTOR OF
POLICE, KATTAPPANA P.O., IDUKKI DISTRICT.

5. THE SUB INSPECTOR OF POLICE,
KATTAPPANA, KATTAPPANA POLICE STATION,
KATTAPPANA P.O., IDUKKI DISTRICT.

GOVT. PLEADER SRI.P.A.SALIM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON 18/06/2007 DELIVERED THE FOLLOWING:

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO.18218 OF 2007

Dated this the 19th day of June, 2007

JUDGMENT

Raman, J.

Petitioner is the President of the Nariyampara Milk Producers Co-operative Society Ltd.No.1-66 D, APCOS. He is also a candidate in the election to the managing committee of the Society scheduled to be held on 20.6.2007. It is alleged that during the scrutiny of nomination papers on 22.5.2007, some members of the Society created a law and order situation and with the police assistance only the Returning Officer could complete the scrutiny. It is apprehended that during the election also there may be some unpleasant situation brought out by some of the members and in case such thing happens, the members will not be able to exercise their franchise freely. They seek necessary protection for the smooth conduct of the election on 20.6.2007.

2. Heard the learned Government Pleader. It is submitted by him that the police would render necessary assistance in this regard.

3. Having considered the submissions of either side and after considering the arguments in support of the contentions made, we

direct respondents 4 and 5 to give adequate police protection for the smooth conduct of the election in the Society scheduled to be held on 20.6.2007 and to maintain law and order.

The Writ Petition is disposed of as above.

P.R.RAMAN, JUDGE

K.HEMA, JUDGE

vgs.